

Notice of Allowability

Application No.

10/001,581

Applicant(s)

CAMINSCHI, ANDREW

Examiner

Aravind K. Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/20/07.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This is in response to the Appeal Brief filed on 20 July 2007.
2. Claims 1-28 are pending in the application.
3. Claims 1-28 have been allowed.

Response to Arguments

4. Applicant's arguments, see the appeal brief, filed 20 July 2007, with respect to claims 1-28 have been fully considered and are persuasive. The rejection of the claims has been withdrawn.

Allowable Subject Matter

5. Claims 1-28 are allowed.

The following is an examiner's statement of reasons for allowance:

The current application is directed towards a system and method for storing waveforms on a computer, while ensuring that the waveforms are only used on a signal generator fitted with the correct licensing keys. The system includes one or more signal generation applications for calculating one or more waveforms. Each waveform can be stored on a computer by bundling the waveform, a code that includes license information and any signal generator settings required to configure the signal generator into a single file. The file can further be encrypted for security purposes. Upon receiving a request for the file, a download application associated with the signal generator retrieves the encrypted file, decrypts the file and compares one or more keys stored within the signal generator with the code to determine whether the signal generator is allowed to download the waveform.

Independent claims 1, 13 and 26 are directed towards a waveform customization method for a signal generator. The claims disclose retrieving a waveform and at least one code

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associated with the waveform from a storage media; retrieving at least one key associated with the signal generator; comparing the at least one code associated with the waveform and that at least one key; and downloading the waveform to the signal generator under condition that the at least one code matches the at least one key. The closest prior art to the current application was Tamai et al U.S. Patent No. 7,031,946 B1 (hereinafter Tamai). Tamai is directed towards a contactless IC tag for storing secret information for each of multiple stages of a life cycle from manufacture to disposal, and an access device for reading/writing information in secrecy from/to the contactless IC tag for each stage. A memory unit has stage storage areas as many as the stages. Each stage storage area is identified by a secret stage identifier. A controlling unit receives an access identifier from the access device in secrecy, via an antenna unit, a demodulating unit, and an instruction decoding unit. Upon judging that the access identifier properly identifies one of the stage storage areas, the controlling unit receives access information from the access device, and an inputting/outputting unit accesses the stage storage area based on the access information.

However, Tamai differs from the current application in several aspects. Independent claim 1 recites, "retrieving at least one key associated with said signal generator". Independent claim 13 recites a similar feature. This feature of claims 1 and 13 is not in Tamai. The key as taught by Tamai is not associated with a signal generator. Tamai does not teach the feature of "comparing said at least one code associated with said waveform and said at least one key" as recited in claims 1 and 13. Tamai teaches a key that is an encryption key that is used to produce encrypted random numbers. As such, the Tamai key is not involved in any compared. Tamai does not teach the feature of "downloading said waveform to said signal generator under

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condition that said at least one code matches said at least one key". Tamai relates to generation of a pulse signal wave by a signal generator, and does not mention downloading a waveform to a signal generator as recited in claims 1 and 13.

Any claims not directly addressed are allowed on the virtue of their dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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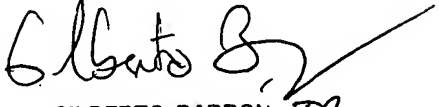
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aravind K Moorthy 
October 21, 2007


GILBERTO BARRON JR.
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